

1 S.60 Floor Amendment

2 Sec. 1. 30 V.S.A. § 218d(n) and (o) are added to read:

3 (n)(1) Notwithstanding subsection (a) of this section and sections 218, 225,
4 226, 227, and 229 of this title, a municipal company formed under local charter
5 or under chapter 79 of this title and an electric cooperative formed under
6 chapter 81 of this title shall be authorized to change its rates for service to its
7 customers if the rate change is:

8 (A) applied to all customers equally;

9 (B) not more than two percent during any twelve-month period;

10 (C) cumulatively not more than 10 percent from the rates last
11 approved by the Commission; and

12 (D) not going to take effect more than 10 years from the last approval
13 for a rate change from the Commission.

14 (2) The municipal company or electric cooperative shall provide written
15 notice of a rate change pursuant to this subsection to its customers, the
16 Department of Public Service, and the Commission at least 45 days prior to
17 implementing the rate change. Included with the submission shall be a rate
18 analysis describing the rationale for the rate change. Unless an objection to the
19 rate change is filed by the Department of Public Service with the Commission
20 within 45 days of this notice or the Commission orders an investigation on its

1 own motion, the municipal company or electric cooperative may implement
2 the rate change.

3 (3) If the Department does not object to the change within 30 days, five
4 persons adversely affected by the change may apply at their own expense to
5 the Commission by petition alleging why the change is unreasonable and
6 unjust and asking that the Commission investigate the matter and make such
7 orders as justice and law require.

8 (4) A municipal company or electric cooperative shall be eligible to
9 change its rates pursuant to this subsection only if it has received approval for
10 a rate change from its governing body at a duly warned meeting held for such
11 purpose prior to filing its written notice with the Department and the
12 Commission.

13 (5) The Commission shall establish, by rule or order, standards and
14 procedures for implementing this subsection.

15 (o)(1) Notwithstanding subsections (a) and (n) of this section and sections
16 218, 225, 226, 227, and 229 of this title, a municipal company formed under
17 local charter or under chapter 79 of this title and an electric cooperative formed
18 under chapter 81 of this title shall be authorized to offer innovative rates or
19 services to their customers as pilot programs without obtaining prior approval
20 from the Commission if the rate or service:

1 (A) is designed to satisfy the requirements of subdivision 8005(a)(3)
2 of this title or to advance the goals of the State Comprehensive Energy Plan;

3 (B) has a duration of 18 months or less; and

4 (C) shall not result in:

5 (i) additions of more than two percent of the municipal company's
6 or electric cooperative's net assets; or

7 (ii) an increase in the municipal company's or electric
8 cooperative's overall cost-of-service by more than two percent.

9 (2) The municipal company or electric cooperative shall provide written
10 notice of an innovative rate or service to its customers, the Department of
11 Public Service, and the Commission at least 45 days prior to offering the
12 innovative rate or service to its customers. Included with the submission shall
13 be the terms and conditions of service. Unless an objection to the innovative
14 rate or service is filed with the Commission within 45 days of this notice or the
15 Commission orders an investigation on its own motion, the municipal
16 company or electric cooperative may commence offering the innovative rate or
17 service to its customers.

18 (3) The municipal company or electric cooperative shall provide written
19 notice to the Department of Public Service and the Commission at least
20 45 days prior to the end of an innovative rate or service duration period with
21 any proposed modifications to the terms and conditions. Unless an objection

1 to the innovative rate or service is filed with the Commission within 45 days of
2 this notice or the Commission orders an investigation on its own motion, the
3 municipal company or electric cooperative may continue offering the
4 innovative rate or service to its customers. The Commission may allow for the
5 innovative rate or service to remain in effect pending the outcome of an
6 investigation into the notice filing.

7 (4) The Commission may establish, by rule or order, standards and
8 procedures for implementing and interpreting this section.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2021.